

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**JOSE ESTEBAN HERNANDEZ-
VILLALBA,**

Defendant.

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Case No. 8:10CR-334

ORDER

This matter is before the court on the defendant's Motion to Review Detention (#67). The defendant moves the court for an order releasing him into the custody of a third-party custodian. The motion is denied without hearing.

The proposed placement with a third-party custodian fails to address the court's concerns as set out in the August 27, 2010 Detention Order (#24), and fails to rebut the presumption of detention, 18 U.S.C. § 3142(e). I find the defendant should remain committed.

IT IS ORDERED: The Defendant's Motion to Review Detention (#67) is denied without hearing.

Dated this 25th day of October 2010.

BY THE COURT:

S/ F.A. Gossett, III
United States Magistrate Judge